THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 4889 of 2007

28-03-2007

Between:-

Smt. Hiraben Baldev and another.

Petitioners

And

The Executive Officer,
Secunderabad Contonment Board,
Secunderabad and another.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 4889of 2007

Oral order:

The writ petition is filed alleging that the respondent-Secunderabad Cantonment Board is proceeding to demolish the structures shown in the writ petition schedule premises on allegation of deviation from the approved building permit without notice or opportunity to the petitioners.

The respondents filed counter affidavit which *inter alia* states (Paragraph No.10) that the property consists of one house unit out of five units forming part of open plot in survey No. 25/B and that the respondents had not taken any steps to demolish the house as alleged. It is also asserted in the counter affidavit that the constructions

have been made by the original owner and the developer contrary to the approved building plan and that notices have been issued to the original owner. The counter however states that no proceedings for demolition would be initiated without issuing a notice to the persons in occupation and the subsequent purchasers. In view of this statement in the counter, the grievance of the petitioners does not subsist. The respondent-Board will issue notice to the petitioners and any other person in lawful occupation of the property in question proposing demolition of the deviant constructions and thereafter take proceedings in accordance with law.

The writ petition is disposed of as above. There shall be no order as to costs.

GODA RAGHURAM, J

Dated:28-03-2007
Pvks/*